

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, November 20, 2012, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman John Clark
Alderman Valerie Joh
Alderman Mike McIntire

Vice-Mayor Tom C. Parham
Alderman Tom Segelhorst
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. PLEDGE OF ALLEGIANCE TO THE FLAG:** Jeff Fleming, Assistant City Manager for Development.
- II.B. INVOCATION:** Mitch Whisnant, Associate Minister – First Baptist Church.
- III. ROLL CALL:** By City Recorder Demming. All Present.
- IV. RECOGNITIONS AND PRESENTATIONS.**
 - 1. Dr. Kathleen Beine – Archstone Foundation Award. Dr. Beine provided details on this award she received on behalf of the Kingsport community.
- V. APPROVAL OF MINUTES.**

Motion/Second: Parham/McIntire, to approve minutes for the following meetings:

- A. November 5, 2012 Regular Work Session
- B. November 6, 2012 Regular Business Meeting

Approved: All present voting “aye.”

VI. COMMUNITY INTEREST ITEMS.

AA. PUBLIC HEARINGS. None.

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. Ms. Barbara Brown spoke favorably about Dr. Beine and the Archstone Foundation Award.

B. BUSINESS MATTERS REQUIRING FIRST READING. None.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

**1. Consideration of Ordinances to Annex/Amend Zoning of the
Colonial Heights Area 7 Part E Annexation (AF: 312-2012).**

Motion/Second: McIntire/Joh, to pass:

ORDINANCE NO. 6265, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 7 PART E ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

Motion/Second: McIntire/Shupe, to pass:

ORDINANCE NO. 6266, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG LEBANON ROAD, CHESTERFIELD DRIVE, WYNFIELD COURT, ABBEY ROAD, KENDRICK CREEK ROAD, BARRINGTON COURT, AND WESTMINSTER PLACE TO R-1B, RESIDENTIAL DISTRICT AND A-1, AGRICULTURAL DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

D. OTHER BUSINESS.

**1. Consideration of a Resolution to Enter into a Contractual
Agreement with the Tennessee Department of Transportation for Reimbursement
of Operating Expenses for FY12-13 (AF: 329-2012).**

Motion/Second: Joh/Parham, to pass:

Resolution No. 2013-081, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CITY TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2012-2013

Passed: All present voting "aye."

**2. Consideration of a Resolution Approving Renewal of the
Workers' Compensation Reinsurance with Safety National Casualty Corporation
(AF: 331-2012).** City Manager Campbell gave details on this item, noting the reason behind the changes that were made. Alderman Segelhorst commented that the best way to save money is for people not to get hurt and stressed the need for a good safety plan that is enforced by management and believed in by the employees.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2013-082, A RESOLUTION APPROVING THE RENEWAL OF THE AGREEMENT WITH SAFETY NATIONAL INSURANCE CORPORATION FOR WORKERS' COMPENSATION REINSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RENEWAL OF THE AGREEMENT

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing Renewal of Stop Loss Reinsurance with HCC Life Insurance Company for the Self-Funded Health Insurance (AF: 332-2012). City Manager Campbell noted that risk management was able to adjust the parameters on the limits to reduce the increase from 14.4% to 2.7%. Alderman Segelhorst pointed out that a lot of time was spent to obtain these reductions and should not be overlooked.

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2013-083, A RESOLUTION AUTHORIZING RENEWAL OF THE POLICY WITH HCC LIFE INSURANCE COMPANY FOR STOP LOSS REINSURANCE COVERAGE AND AUTHORIZING THE MAYOR TO EXECUTE THE RENEWAL OF THE POLICY AND ALL AGREEMENTS AND OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RENEWAL

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing an Agreement with Travelers Insurance through BB&T-KDC Insurance Services, Inc. for Property Insurance (AF: 333-2012). City Manager Campbell pointed out that this is a property replacement policy that covered over 476 million dollars in property. He further stated this dollar amount only included building assets and the water/sewer treatment plant. He pointed out there are millions of dollars of other assets in water and sewer lines as well as roads. Mr. Campbell also noted the increase was the result of a reappraisal after several years.

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2013-084, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BB&T-KDC INSURANCE SERVICES, INC. AND TRAVELERS INSURANCE FOR CITY OF KINGSFORT PROPERTY INSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Reimbursement of Materials Agreement Funds to Danny Karst for Edinburgh Phase 2 Sections 1, 2B & 2C (AF: 334-2012). City Manager Campbell gave information on this item, noting the amount returned was lower than what was anticipated.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

Motion/Second: Joh/Clark, to pass:

Resolution No. 2013-085, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO DANNY KARST FOR EDINBURGH PHASE 2 SECTIONS 1, 2B, AND 2C

Passed: All present voting "aye."

6. Consideration of a Resolution Approving a Lease with The First Tennessee Area Agency on Aging and Disability (AF: 335-2012). City Manager Campbell provided details on this item, noting it was an in-kind lease at the Lynn View Community Center. He stated this agency is doing a lot of work on the website to provide valuable information for seniors.

Motion/Second: McIntire/Joh, to pass:

Resolution No. 2013-086, A RESOLUTION APPROVING A LEASE AGREEMENT WITH FIRST TENNESSEE AREA AGENCY ON AGING AND DISABILITY FOR SPACE AT THE LYNN VIEW COMMUNITY CENTER, AND AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LEASE AGREEMENT

Passed: All present voting "aye."

7. Consideration of Recommendation from the Kingsport Higher Education Commission to Approve a Resolution Authorizing the Mayor to Sign a Document for Approval for Northeast State Community College to Execute a Use of Facilities Application with East Tennessee State University to Sublease 3 Classrooms at the Regional Center for Applied Technology for Purposes of Offering Classes During the Spring 2013 Semester (AF: 330-2012). City Manager Campbell gave information on this item, noting the city has to approve all subleases of Northeast State. He stated this is really a stopgap for ETSU as they hope to acquire their own building somewhere in the academic village for the fall semester. He informed Alderman Clark their goal is to have 650 students downtown in the next two or three years. Alderman Shupe asked about possibly incorporating the post office into the academic village. Mr. Campbell said there has been a little interest but nothing definite. Mayor Phillips commented if that building became available in a certain price range, the city should look at purchasing it for that purpose.

Motion/Second: McIntire/Clark, to pass:

Resolution No. 2013-087, A RESOLUTION APPROVING THE REQUEST OF NORTHEAST STATE COMMUNITY COLLEGE TO SUBLEASE A PORTION OF THE REGIONAL CENTER FOR APPLIED TECHNOLOGY TO EAST TENNESSEE STATE UNIVERSITY AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT APPROVING THE SAME AND ALL APPLICABLE DOCUMENTS TO EFFECTUATE THE PURPOSE THIS RESOLUTION

Passed: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

8. Consideration of a Resolution to Amend Two Contracts for Work Conducted as Part of Phase II of the Kingsport Farmer's Market Project (AF: 338-2012).

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2013-088, A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT WITH MURRAY MECHANICAL CONTRACTORS FOR THE FARMER'S MARKET PHASE II PROJECT; AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE AMENDMENT

Passed: All present voting "aye."

Motion/Second: Segelhorst/Shupe, to pass:

Resolution No. 2013-089, A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT WITH D.H. GRIFFIN FOR THE FARMER'S MARKET PHASE II PROJECT; AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE AMENDMENT

Passed: All present voting "aye."

9. Consideration of a Resolution Authorizing the Mayor to Accept a Modular Classroom Unit as a Donation from Sullivan County (AF: 339-2012).

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2013-090, A RESOLUTION ACCEPTING A DONATION OF A MODULAR CLASSROOM UNIT FROM SULLIVAN COUNTY

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

Motion/Second: Segelhorst/McIntire, to approve:

1. Consideration of an Appointment to the Parks and Recreation Advisory Committee (AF: 336-2012).

Approve:

APPOINTMENT OF MR. JAMES KELLEY TO SERVE A TWO-YEAR TERM ON THE **PARKS AND RECREATION ADVISORY COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2014.

Passed: All present voting "aye."

VII. CONSENT AGENDA. (*These items are considered under one motion.*)

Motion/Second: McIntire/Shupe, to adopt:

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

1. Consideration of a Budget Ordinance Regarding GP1300 CleeK Road Improvements Phase II (AF: 319-2012).

Adopt:

Ordinance No. 6267, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE CLEEK ROAD IMPROVEMENTS PROJECT FOR CONSTRUCTION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

2. Consideration of an Ordinance Amending the Kingsport Code of Ordinances Sections 38-85 through 38-350 Pertaining to Stormwater Management (AF: 316-2012).

Adopt:

Ordinance No. 6268, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTIONS 38-85 THROUGH 38-350 PERTAINING TO THE PROVISION OF STORMWATER MANAGEMENT FOR THE CITY OF KINGSPORT; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; TO PROVIDE FOR SEVERABILITY OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

3. Consideration of a Budget Ordinance to Appropriate \$8,246.00 from the Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership, Body Armor Safety Initiative (AF: 97-2012).

Adopt:

Ordinance No. 6269, AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

4. Consideration of an Ordinance Approving the Conveyance of Real Property in Exchange for Real Property for a Sewer Pump Station Site and Authorizing the Mayor to Execute the Appropriate Documents (AF: 324-2012).

Adopt:

Ordinance No. 6270, AN ORDINANCE MAKING VARIOUS FINDINGS; APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY FORMERLY USED AS A SITE FOR A WATER TANK IN EXCHANGE FOR PROPERTY FOR A SEWER PUMP

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

STATION SITE; VACATING AN EASEMENT FOR EGRESS/INGRESS TO THE FORMER WATER TANK SITE; AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS CONVEYING THE PROPERTY AND VACATING SUCH EASEMENT TO THE PROPERTY AND ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS ORDINANCE; AND ACCEPTING THE PROPERTY CONVEYED TO THE CITY FOR THE PUMP STATION SITE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

5. Consideration of an Ordinance to Amend Various Project Funds (AF: 323-2012).

Adopt:

Ordinance No. 6271, AN ORDINANCE TO AMEND THE GENERAL PROJECT AND GENERAL PROJECT-SPECIAL REVENUE FUND BUDGETS BY TRANSFERRING FUNDS FROM VARIOUS PROJECTS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

6. Consideration of Approval for Additional Holiday Time at Christmas for City Employees (AF: 337-2012).

Approve:

ADDITIONAL HOLIDAY TIME AT CHRISTMAS FOR CITY EMPLOYEES

Passed in a roll call vote: Clark, Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** The Mayor asked Public Works Director Ryan McReynolds to announce the altered holiday schedule this week for garbage pick-up. He stated Monday, Tuesday and Wednesday pick-up would remain the same. Normal Thursday pick-up has been moved to Friday and normal Friday pick-up has been moved to Saturday. At the request of Alderman Segelhorst, Mr. McReynolds explained how citizens could sign up on the city's website to receive a courtesy call to inform them of changes such as these.

City Manager Campbell congratulated the football teams of Sullivan North High School and Dobyns-Bennett High School on their successful seasons this year. He also commended those who traveled to last week's DBHS game, noting Kingsport fans made up almost 40% of the stadium.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

- B. MAYOR AND BOARD MEMBERS.** Alderman McIntire wished everyone a blessed Thanksgiving, noting we have so much to be thankful for all year long, but especially at this time. He also wished Alderman Segelhorst and Vice-Mayor Parham a happy birthday.

Alderman Shupe also wished everyone a happy Thanksgiving, noting it was an honor to serve. He voiced his appreciation for city staff, especially those who work on the holidays.

Alderman Joh echoed Thanksgiving wishes and remarked on the art display at the Netherland Inn Roundabout. She stated she noticed a concrete lamb in the middle one day and the next it was wearing a red ribbon. She stated she was waiting for further development and encouraged people to donate to public art.

Alderman Segelhorst thanked Dr. Beine for her hard work to receive the award from the Archstone Foundation for Kingsport. He wished everyone a safe and happy Thanksgiving and also Vice-Mayor Parham a happy birthday. Mr. Segelhorst commented on the heavy shopping day coming up this Friday and encouraged everyone to consider buying locally. Lastly, he commended the United Way for a successful campaign and for reaching their goal, highlighting the generous volunteer spirit of Kingsport.

Alderman Clark commented on the Santa Train and Christmas parade this past weekend, noting he was honored to serve as a volunteer on the train this year. He gave details on the train ride and pointed out the many benefits it provides. Mr. Clark also mentioned the unemployment rate has dropped in Kingsport to just over 7%, meaning over 300 jobs were added in the third quarter. He praised citizens on this accomplishment.

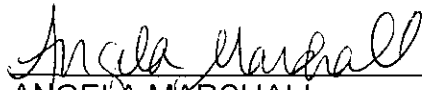
Vice-Mayor Parham wished everyone a happy Thanksgiving and Alderman Segelhorst happy birthday. He then commented on a recent meeting involving 60 individuals who represented hundreds of volunteers in Kingsport such as the Boys and Girls Club, Girls Incorporated, Kingsport Housing Authority, school officials and Parks and Recreation to address specific issues. He remarked it makes the BMA's job easier when there is that level of professional input.

Mayor Phillips agreed that enough could be said about the volunteers. He then commented that we have so much to be thankful for and wished everyone a happy Thanksgiving also.

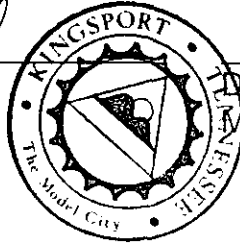
- C. VISITORS.** Ms. Barbara Brown thanked the BMA members who volunteered to bag groceries at Food City for the United Way.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, November 20, 2012**

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:50 p.m.



ANGELA MARSHALL
Deputy City Recorder





DENNIS R. PHILLIPS
Mayor